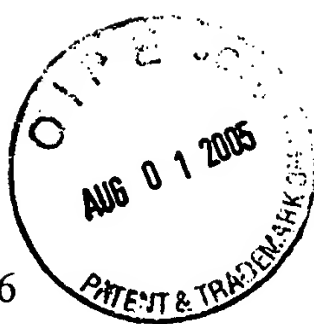


02975.000006



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: Jason T. Whipkey
TAKESHI KOYAMA ET AL.)	
	:	Group Art Unit: 2612
Application No.: 09/978,048)	
	:	Confirmation No.: 3605
Filed: October 17, 2001)	
	:	
For: OPTICAL APPARATUS)	August 1, 2005 (Monday)

Mail Stop Amendment
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Applicants respectfully traverse the restriction requirement set forth in the Office Action mailed June 30, 2005.

The Examiner has stated that the inventions of Group I (claims 1-8, 11, 12, and 15-21) and Group II (claims 9, 10, 13, and 14) are patentably distinct from each other because they are related as subcombinations disclosed as usable together in a single combination. However, Applicants respectfully submit that the two groups are closely related and that a proper search of any of the claims of one group would likely include a search of the claims of the other group. Thus, it is submitted that all the claims can be searched simultaneously, and that a

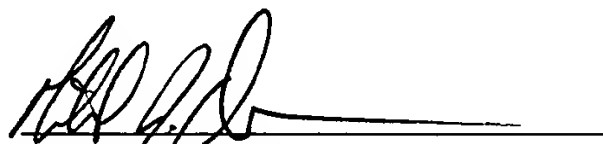
duplicative search with possibly inconsistent results may occur if the restriction requirement is maintained. Therefore, in the interest of economy, both for Applicants and the Office, withdrawal of the restriction requirement is requested.

Nevertheless, in order to comply with 37 C.F.R. 1.143, Applicants provisionally elect to prosecute the invention of Group I, namely claims 1-8, 11, 12, and 15-21.

Favorable consideration is requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Michael J. Didas
Attorney for Applicants
Registration No. 55,112

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

MJD:eyw

DC_MAIN 210713v1